



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/470,669	12/23/1999	KELAN C. SILVESTER	42390.P8085	6426

7590

04/16/2003

DAVID KAPLAN
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 WILSHIRE BOULEVARD
7TH FLOOR
LOS ANGELES, CA 90025

EXAMINER

VU, TRISHA U

ART UNIT

PAPER NUMBER

2189

DATE MAILED: 04/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/470,669

Applicant(s)

SILVESTER, KELAN C.

Examiner

Trisha U. Vu

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-21 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-9, 17, 19, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Pipes (5,999,997).

As to claim 1, Pipes discloses an electrical device comprising a housing to be docked into a notebook computer (col. 1, lines 7-8 and 48-50) having a memory to store an operating system (first operating system) (col. 1, lines 26-36), an interface disposed on a surface of the housing to enable communication between the device and the notebook computer when the device is docked (Figs. 2A and 2B); a memory to store an operating system (second operating system) (col. 1, lines 26-36); and a processor (second

processing unit) to operate as a system processor of the docking computer when the device is undocked and to operate as a system processor of the device when the device is undocked (col. 2, lines 4-6 and col. 5, lines 52-60).

As to claim 17, Pipes teaches a method of operating a computer system comprising: operating a processor as a system processor of a notebook computer when a core computer is docked in a docking port of the notebook computer, and operating the processor as a system processor of the core computer when the core computer is undocked (col. 2, lines 4-6 and col. 5, lines 52-60), the notebook computer including a memory to store an operating system (first operating system); and the core computer including a memory to store an operating system (second operating system) (col. 1, lines 26-36).

As to claims 2 and 4, Pipes further discloses an input controller and an output controller to receive and output data when the device is undocked (col. 1, lines 38-40 wherein the device includes I/O devices, e.g. keyboard, monitor, or mouse, implies that there are I/O controllers).

As to claims 3 and 6, Pipes further discloses core memory to store input data when the device is undocked and core memory to store a mini operating system (at least system memory 208) (Fig. 2B).

As to claim 5, Pipes further discloses a visual display coupled to the input/output controller (monitor 231). Pipes fails to disclose that the visual display being coupled to the input/output controller is via pen-based. Official notice is taken by examiner that

Art Unit: 2189

pen-based interface is well known in the art for using with portable computer to provide input/output data.

As to claim 21, the argument above for claim 17 applied. Official Notice is taken by Examiner that multiple operating systems, by the time the invention was made, is being well known in the computer technology to provide users with more choices.

As to claims 7-9 and 19, Pipes further discloses a battery to provide power to the processor when the device is undocked, the battery is recharged when docked, and the computer provides power to the processor when docked (note col. 3, lines 52-57).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pipes (5,999,997) in view of Kikinis et al. (5,793,957) (herein after Kikinis).

As to claim 12, Pipes discloses a base computer (first computer-100) comprising a docking port to receive a computer device (second computer-200) (Figs. 2A and 2B, and col. 1 lines 7-8) having a processor to operate as a system processor of the base computer when the device is docked and to operate as a system processor of the computer device when undocked (col. 2, lines 4-6 and col. 5, lines 52-60), the computer device including a memory to store an operating system (second operating system) (col. 1, lines 26-36); an

interface in the docking port to enable communication between the computer device and the base computer when the computer device is docked (Fig. 2A and 2B); and a memory to store an operating system (first operating system) (col. 1, lines 26-36). However, Pipes fails to disclose that the computer device is a hand-held computer. Kikinis discloses a base computer with a docking bay for a hand-held to be docked (note Fig. 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a hand-held as taught by Kikinis in the system of Pipes because hand-held is more compact and portable.

As to claim 13, Pipes as modified above by Kikinis further teaches the memory of the base computer to store a full operating system, the memory of the hand-held to store a mini operating system (col. 1, lines 26-36).

As to claim 14, Pipes as modified above by Kikinis further discloses the interface is to couple a power supply of the base computer to a battery in the core computer to charge the battery and to provide power to the processor when the core computer is docked (Fig. 2B and col. 3, lines 52-57).

As to claim 18, the argument above for claim 17 applies. However, Pipes does not explicitly disclose synchronizing memory of the notebook computer with memory of the core computer when the core computer is docked. Kikinis discloses synchronizing memory of the notebook computer with memory of a docked device (note col. 22, claim 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to including synchronizing memory of the notebook computer with memory of

Art Unit: 2189

a docked device as taught by Kikinis in the system of Pipes to so that data can be updated to the latest version (col. 12, lines 4-7).

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pipes (5,999,997) in view of Kikinis et al. (5,793,957) (herein after Kikinis), and further in view of Atkinson (5,884,049).

As to claim 15, the argument above for claim 14 applied. However, Pipes and Kikinis do not explicitly teach that the processor is to operate at a higher frequency and at a higher voltage when the processor operates as a system processor of the base computer than when the processor operates as a system processor of the core computer. Atkinson discloses that the processor is to operate at a higher frequency and a higher voltage when the device is docked (note the abstract and col. 1, lines 50-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a higher frequency and a higher voltage as taught by Atkinson in the system of Pipes and Kikinis since this will improve the processor performance.

5. Claims 10, 11, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pipes (5,999,997) as applied to claims 1-9, 17, 19, and 21 above, and further in view of Atkinson (5,884,049).

As to claims 10, 11, and 20, Pipes does not explicitly disclose that the processor is to operate at a higher frequency and a higher voltage when the device is docked than when undocked. Atkinson discloses that the processor is to operate at a higher frequency

Art Unit: 2189

and a higher voltage when the device is docked (note the abstract and col. 1, lines 50-54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a higher frequency and a higher voltage as taught by Atkinson in the system of Pipes and Kikinis since this will improve the processor performance.

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pipes (5,999,997) in view of Kikinis et al. (5,793,957) (herein after Kikinis), and further in view of Uehara et al. (5,754,798) (herein after Uehara).

As to claim 16, the argument above for claim 12 applied. However, Pipes and Kikinis do not explicitly teach that the processor is to operate in one of a high power mode and low power mode according to user preference. Uehara discloses a teaching that the processor can operate in different power mode set by the user (note col.16, lines 34-44). One ordinary skill in the art, at the time the invention was made, would have been motivated to employ different power mode for the processor because the user can save the power in lower mode. Otherwise, if the user needs a high CPU performance, he/she can choose the higher mode.

Response to Arguments

7. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, as the art discloses docking computer system:

US Patent	6,044,452	Birch et al.
US Patent	5,625,829	Gephardt et al.
US Patent	6,523,079	Kikinis et al.
US Patent	6,473,789	Chen et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trisha U. Vu whose telephone number is 703-305-5959. The examiner can normally be reached on Mon-Thur and alternate Fri from 7:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


Trisha U. Vu
Examiner
Art Unit 2189

uv
April 9, 2003


Glenn A. Auve
Primary Patent Examiner
Technology Center 2100